

APR 1 - 17  
FD 2-2223-07

**PATENT**

Attorney Docket No. \_\_\_\_\_

**COMBINED DECLARATION AND POWER OF ATTORNEY**

This declaration is of the following type:

original    design    supplemental  
 national stage of PCT  
 divisional    continuation    continuation-in-part

As a below named inventor, I hereby declare that

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR SELECTIVELY SEPARATING LIVE CELLS EXPRESSING A SPECIFIC GENE**

the specification of which:

is attached hereto.  
 was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_  
(*if applicable*).  
 was described and claimed in PCT International Application No. \_\_\_\_\_ filed  
on \_\_\_\_\_ and as amended pursuant to PCT Article 19 on \_\_\_\_\_  
(*if any*).

I state that I have reviewed and understand the contents of the specification identified above, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of the application identified above in accordance with 37 CFR §1.56.

I claim foreign priority benefits pursuant to 35 USC §119(a) of any foreign application(s) for patent or inventor's certificate or of any PCT international patent application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent, utility model, design registration, or inventor's certificate or any PCT international patent application(s) designating at least one country other than the United States of America filed by me for the same invention and having a filing date before that of the application(s) from which the benefit of priority is claimed.

PRIOR FOREIGN PATENT, UTILITY MODEL, AND DESIGN REGISTRATION APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(a)						
COUNTRY	PRIOR FOREIGN APPLICATION	DATE OF FILING (day,month,year)	PRIORITY CLAIMED UNDER 35 USC §119(a)			
JAPAN	028117/2000	04 February 2000	X	YES		NO
JAPAN	130793/2000	28 April 2000	X	YES		NO
				YES		NO

I claim the benefit pursuant to 35 USC §119(e) of the following United States provisional patent application(s):

PRIOR U.S. PROVISIONAL PATENT APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(e)	
APPLICATION NO.	DATE OF FILING (day,month,year)

I claim the benefit pursuant to 35 USC §120 of any United States patent application(s) or PCT international patent application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this patent application is not disclosed in the prior patent application(s) in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56 effective between the filing date of the prior patent application(s) and the national or PCT international filing date of this patent application.

PRIOR U.S. PATENT APPLICATIONS OR PCT INTERNATIONAL PATENT APPLICATIONS DESIGNATING THE U.S., BENEFIT CLAIMED UNDER 35 USC §120				
U.S. PATENT APPLICATIONS			Status (check one)	
SERIAL NUMBER	U.S. FILING DATE		PATENTED	PENDING
1.				
2.				
3.				
PCT APPLICATIONS DESIGNATING THE U.S.			Status (check one)	
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)	PATENTED	PENDING
4.				
5.				
6.				

As a named inventor, I appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected with this patent application.

John M. Belz, Reg. 30,359  
Jeffrey A. Wyand, Reg. 29,458  
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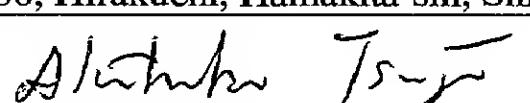
I further direct that correspondence concerning this application be sent to:

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I authorize my attorneys to accept and follow instructions from \_\_\_\_\_ regarding any matter related to the preparation, examination, grant, and maintenance of the patent application identified above, any continuation, continuation-in-part, or divisional patent application based on the patent application identified above, and any patent issuing from that patent application, until I or my assigns withdraw this authorization in writing.

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of fifth joint inventor, if any:	
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Full name of sixth joint inventor, if any:	
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Date:	